



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CP15-019**

1. Agenda Item Number:
51
2. Council Meeting Date:
September 11, 2014

TO: MAYOR & COUNCIL

3. Date Prepared: August 15, 2014

THROUGH: CITY MANAGER

4. Requesting Department: Transportation & Development

5. SUBJECT: Contract Extension and Project Agreement with Consultant Engineering, Inc., for On-call Inspection Services

6. RECOMMENDATION: Staff recommends City Council approve a Contract Extension for On-call Inspection Services with Consultant Engineering, Inc., Project No. EN1202.101, and award a Project Agreement with Consultant Engineering, Inc., for On-call Inspection Services, Project No. EN1522.101, pursuant to annual contract EN1202.101, in an amount not to exceed \$35,500.

7. BACKGROUND/DISCUSSION: City Council approved the initial contract on June 14, 2012, with the option to renew for four (4) additional one-year terms. This is the second Contract Extension for On-call Inspection Services and the first Project Agreement for this Contract Extension.

8. EVALUATION: Consultant selection was conducted in accordance with established City policies and procedures. On May 22, 2012, Staff received Statements of Qualifications from seven (7) firms for On-call Inspection Services. The Selection Committee reviewed the qualifications and chose one (1) firm for recommendation.

Staff recommends a Contract Extension and a Project Agreement with Consultant Engineering, Inc., for On-Call Inspection Services. The term of this contract is from June 15, 2014, to June 14, 2015.

9. FINANCIAL IMPLICATIONS:

Cost: \$35,500
Savings: N/A
Long Term Costs: N/A

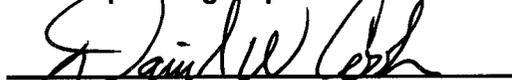
The owner/user department shall provide funding for each individual Project Agreement.

10. PROPOSED MOTION: Move City Council approve a Contract Extension for On-call Inspection Services with Consultant Engineering, Inc., Project No. EN1202.101, and award a Project Agreement with Consultant Engineering, Inc., for On-call Inspection Services, Project No. EN1522.101, pursuant to annual contract EN1202.101, in an amount not to exceed \$35,500.

ATTACHMENTS: Contract Extension, Project Agreement

APPROVALS

11. Requesting Department


Daniel W. Cook, Interim City Engineer/
Transportation Manager

13. Department Head


R.J. Zeder, Transportation & Development Director

12. Transportation & Development


Bob Fortier, Capital Projects Manager

14. City Manager


Rich Dlugas

**NOTICE OF EXERCISE OF SECOND OPTION TO EXTEND
ANNUAL CONTRACT FOR ON-CALL OFFSITE/ONSITE INSPECTION
PROJECT NUMBER EN1202.101**

The City Council authorized the City of Chandler (hereinafter referred to as "CITY") and **Consultant Engineering, Inc.**, incorporated in the State of Arizona (hereinafter referred to as "ANNUAL CONSULTANT") to enter into an Annual Contract for On-call Offsite/Onsite Inspection (hereinafter referred to as "AGREEMENT") which was approved by the City Council on June 14, 2012 and executed on June 15, 2012.

WHEREAS, the term of the AGREEMENT was for one year commencing on the date the agreement was executed by the last party to sign which was June 15, 2012, for an initial term from June 15, 2012 through June 14, 2013, and

WHEREAS, CITY reserved the right to exercise options to renew the AGREEMENT for four additional one year terms, and

WHEREAS, CITY exercised the first option to extend in a Notice of Exercise of Option to Extend dated July 1, 2013, for a term from June 15, 2013 through June 14, 2014, and

WHEREAS, CITY wishes to exercise its option to extend the AGREEMENT for an additional second extension from June 15, 2014 through June 14, 2015, and

WHEREAS, there has been a short delay by CITY in exercising its option to extend, and

WHEREAS, the delay did not prejudice ANNUAL CONSULTANT and CITY would suffer substantial hardship absent extension of the AGREEMENT pursuant to the option to extend, and

WHEREAS, ANNUAL CONSULTANT agrees to waive any objection to CITY'S failure to timely exercise the option to extend.

NOW THEREFORE, in exchange of valuable consideration. The parties agree as follows.

1. CITY exercised its option to extend the AGREEMENT for a second time for a term June 15, 2014 through June 14, 2015.
2. ANNUAL CONSULTANT waives any objection to CITY'S failure to timely exercise the option to extend for the term from June 15, 2014 through June 14, 2015.
3. This Notice is hereby incorporated to the CONTRACT and must be filed with the City Clerk's Office.
4. The total cost of work issued to the ANNUAL CONSULTANT by the City of Chandler will not exceed Thirty Five Thousand Five Hundred dollars (\$35,500).

5. All other terms and conditions of the above referenced Contract shall remain unchanged and in full force and effect.

This Notice is hereby signed and approved by CITY and ANNUAL CONSULTANT this _____ day of September, 2014.

This Notice is hereby signed and approved by CITY and ANNUAL CONSULTANT

CITY OF CHANDLER

ANNUAL CONSULTANT:

MAYOR Date

By: _____
Title: PRESIDENT/CEO

ATTEST:

ATTEST: If Corporation

City Clerk

Secretary

APPROVED AS TO FORM:

WITNESS: (If individual or Partnership)

City Attorney by: [Signature] SEAL

CC: User Dept Project Mgr Consultant File

**PROJECT AGREEMENT
PURSUANT TO ANNUAL CONTRACT NO. EN1202-101**

PROJECT AGREEMENT NO: EN1522.101

This PROJECT AGREEMENT is made this ____ day of _____, 2014, by and between the City of Chandler, a municipal corporation (hereinafter referred to as "CITY") and **Consultant Engineering, Incorporated (CEI) in the State of Arizona** (hereinafter referred to as "Annual Consultant") and is a project agreement entered into pursuant to Annual Contract No. EN1202-101.

CITY and CEI, in consideration of the mutual covenants herein set forth, agree as follows:

ARTICLE 1 - DESCRIPTION OF WORK:

This project is On-call Inspection Services, Project Number EN1522.101. The scope of work consists of inspection services, all as more particularly set forth in Exhibit A attached hereto and incorporated herein by reference.

The Annual Consultant shall not accept any change of scope, or change in contract provisions, unless issued in writing, as a contract amendment and signed by the Contract Administrator.

ARTICLE 2 - CONTRACT PRICE:

CITY shall pay Annual Consultant for completion of the Work in accordance with the Contract Documents a fee not to exceed Thirty Five Thousand Five Hundred Dollars (\$35,500) determined and payable as set forth in Annual Contract EN1202-101 and Exhibit B attached hereto and made a part hereof by reference.

ARTICLE 3 - CONTRACT TIME:

The contract time is Ten Calendar days and Annual Consultant agrees to complete all work within Ten (10) calendar days of the date CITY issues a Notice to Proceed.

ARTICLE 4 - GENERAL:

This Project Agreement is entered into pursuant to Annual Contract No. EN1202-101 and the terms and conditions contained therein are incorporated herein by reference as if set forth in full.

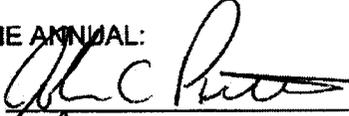
IN WITNESS WHEREOF, the parties hereto have executed this Project Agreement on the day and year first written above.

This Project Agreement will be effective on this _____ day of _____, 2014.

CITY OF CHANDLER

FOR THE ANNUAL:

MAYOR DATE:

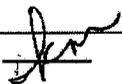
By: 
Title: President CJI

ADDRESS FOR NOTICE
City of Chandler
P.O. Box 4008, Mail Stop 407
Chandler, AZ 85244-4008
480-782-3307

ADDRESS FOR NOTICE
P.O. BOX 37167
PHOENIX, AZ 85069

APPROVED AS TO FORM:

Phone: 602-319-5678
Fax: 602-466-5085

City Attorney By: 

ATTEST:

City Clerk

**EXHIBIT A
SCOPE OF WORK**

Annual consultant shall provide on-call offsite/onsite inspection services for Private Utility work within City's Right of Way and Public Utilities Easements. Other inspections may be required as needed to supplement City's Capital Improvement / Development Services projects, (services may include inspection installation of waterlines, potable waterlines, reclaimed waterlines, storm drain, and sanitary sewer).